

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

RICHARD MA and FRED DEVEREAUX,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

MAPFRE U.S.A. CORP. and THE
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. 1:23-cv-12059

BRIAN CONWAY, individually and
on behalf of all similarly situated persons,

Plaintiff,

v.

MAPFRE U.S.A. CORP. and THE
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. 1:23-cv-12076

PAMELA BROWN, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

MAPFRE U.S.A. CORP. and THE
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. 3:23-cv-12101

<p>LYNNE ALEXANDEROWICS, individually and on behalf of all similarly situated persons,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MAPFRE U.S.A. CORP. and THE COMMERCE INSURANCE COMPANY,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 4:23-cv-40125</p>
<p>BRIAN RAY, individually and on behalf of all similarly situated persons,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MAPFRE U.S.A. CORP. and THE COMMERCE INSURANCE COMPANY,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 1:23-cv-12214</p>
<p>VERONICA GREGORY, individually and on behalf of all similarly situated persons,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MAPFRE U.S.A. CORP. and THE COMMERCE INSURANCE COMPANY,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 1:23-CV-12225</p>

**PLAINTIFFS' UNOPPOSED MOTION TO CONSOLIDATE
RELATED ACTIONS**

TO ALL PARTIES AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 42(a) and District of Massachusetts Local Rule 40.1(j), Plaintiffs Richard Ma, Fred Devereaux, Brian Conway, Pamela Brown, Lynne Alexanderowics, Brian Ray, and Veronica Gregory (“Plaintiffs”)

seek an Order from this Court consolidating *Ma et. al. v MAPFRE U.S.A. Corp. et. al.*, No. 1:23-cv-12059; *Conway v MAPFRE U.S.A. Corp. et. al.*, No. 1:23-cv-12076; *Brown v MAPFRE U.S.A. Corp. et. al.*, No. 3:23-cv-12101, *Alexanderowics v. MAPFRE U.S.A. Corp. et. al.*, No. 4:23-cv-40125, *Ray et. al. v. MAPFRE U.S.A. Corp.*, No. 1:23-cv-12214; *Gregory v. MAPFRE U.S.A. Corp. et al.*, No. 1:23-cv-12225 (collectively, the “Related Actions”). As set forth in the accompanying Memorandum, the Related Actions arise from the same nucleus of common facts, share the same common Defendants, and seek similar relief on behalf of similar putative classes. Consolidation will provide for complete resolution in one proceeding and avoid needless duplication of pre-trial proceedings in the Related Actions.

Plaintiffs also request that the Court set a schedule for filing a consolidated class action complaint, Defendants’ response thereto, and, should Defendants file a motion to dismiss, a briefing schedule for that motion. Plaintiffs request that the Court establish the following deadlines:

- Plaintiffs’ consolidated complaint shall be filed within 30 days of the Court’s Order appointing interim class counsel;
- Defendants shall have 45 days to file a response to the consolidated complaint;
- in the event Defendants file a motion to dismiss or other motion pursuant to Fed. R. Civ. P. 12, Plaintiffs shall have 30 days from the date of that motion to file an opposition, and Defendants shall have 14 days to file any reply.

This Motion is based on this Notice of Motion, the accompanying Memorandum of Law, the Proposed Order submitted herewith, and any other matter the Court may wish to consider.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)

In accordance with Local Rule 7.1(a)(2), prior to filing this motion, Plaintiffs' counsel conferred with Defendants' counsel, who indicated that Defendants do not oppose the request for consolidation under Rule 42(a) or the establishment of a schedule for filing a consolidated complaint and response.

Date: September 29, 2023

Respectfully submitted,

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